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8 Attorneys for Defendant
9 MILAROSE NILOOBAN

FILED
DISTRICT COURT OF GUAM
MAY - 2 2006
MARY L.M. MORAN
CLERK OF COURT

10 UNITED STATES DISTRICT COURT
11 DISTRICT OF GUAM

12 ELIZABETH TOLOSA-TAHA) CIVIL CASE NO. 06-00002

13 Plaintiff,

14 vs.

15 ~~PROPOSED~~ *my*

16 MILAROSE NILOOBAN, NILO) SCHEDULING ORDER ~~AND~~ *my*
17 NILOOBAN, THE TESTATE AND) ~~DISCOVERY PLAN~~
18 INTESTATE SUCCESSORS OF EDGAR)
19 G.M. TOLOSA, DECEASED, AND ALL)
20 PERSONS CLAIMING BY, THROUGH)
21 OR UNDER SUCH EDGAR G.M.)
22 TOLOSA; ALL PERSONS UNKNOWN,))
23 CLAIMING ANY LEGAL OR EQUITABLE)
24 RIGHT, TITLE, ESTATE, LIEN, OR)
25 INTEREST IN THE PROPERTY)
DESCRIBED IN THE COMPLAINT)
ADVERSE TO PLAINTIFF'S TITLE, OR)
ANY CLOUD ON PLAINTIFF'S TITLE)
THERE TO; AND DOES 1 to 50,))
INCLUSIVE,)

Defendants.)

26 Pursuant to Rule 16 and 26(f) of the Federal Rules of Civil Procedure, and
27 Local Rule 16.1 for the District Court of Guam, the parties hereby submit the following
28 Scheduling Order ~~and Discovery Plan~~ *my*

1 1. The nature of the case is as follows: Quiet Title for property located in
2 Guam.

3
4 2. The posture of this case is as follows:

5 a. All Defendants have not been served.

6
7 b. All Defendants have not appeared.

8
9 c. The following motions are on file: None.

10
11 d. The following motions have been resolved: No motions
12 have been resolved.

13
14 e. The following discovery has been initiated: No discovery
15 has been initiated.

16
17 3. All motions to add parties and claims shall be filed on or before **May 30,**
18 **2006.**

19
20 4. All motions to amend pleadings shall be filed on or before **June 9, 2006.**

21 5. Status of Discovery: The Discovery Plan attached hereto is adopted and
22 incorporated as part of this Scheduling Order.

23
24 6. The parties shall appear before the District Court of Guam on **May 2,**
25 **2006 at 9:30 a.m.** for the Scheduling Conference.

7. The discovery cutoff date is: **August 4, 2006.**

8. a. All discovery motions shall be filed on or before **September 8,**
2006, *my* and heard on _____ at
_____.m.

b. Summary judgment motions are likely. Motions related to any as yet unfiled pleadings are possible.

c. All dispositive motions shall be filed on or before **October 27, 2006** and heard before **November 28, 2006**.

9. The prospects for settlement between Plaintiff and Defendant MILAROSE NILOOBAN are good and could fully resolve the case. Settlement between Plaintiff and Co-Defendants are likely.

10. The Preliminary Pretrial Conference shall be held on **November 28,**
2006 at *10:30 a.m.*

11. The parties' pretrial materials, discovery materials, witness lists, designations and exhibit lists shall be filed on or before ~~November 28, 2006~~ *December 5*.

12. The Proposed Pretrial Order shall be filed on or before ^{Friday, November 3} ~~November 28,~~ 2006.

1 13. The Final Pretrial Conference shall be held on **December 5¹², 2006** at
2 10:00 a . .m.

3
4 14. The Trial in this matter shall be held on **December 12¹⁹, 2006** at
5 9:00 a . .m.

6
7 15. The trial is not a jury trial.

8
9 16. It is anticipated that it will take one (1) day to try this case.

10 17. The names of counsel who will try this case are:

11
12 a. Enda V. Wenning, Esq. and Gerald E. Gray, Esq.;

13
14 b. Louie J. Yanza

15
16 c. Other Co-Defendants have yet to appear with counsel.

17
18 18. The parties do not wish to submit this case to a settlement conference.

19
20 19. The parties present the following suggestions for shortening trial:

21 a. Joint submission of Exhibits.

22
23 b. Stipulations regarding admissibility and authenticity of Exhibits.

24
25 c. A limited number of stipulated facts.

1 20. The following issues will also affect the status or management of the
2 case. Plaintiff and her counsel, Edna V. Wenning, are in California, which may
3 prolong discovery.
4

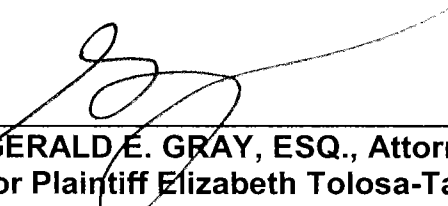
5 Dated this 2nd day of May, 2006.

6
7 

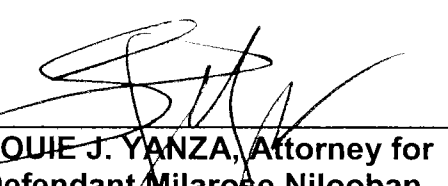
8 **HONORABLE JOAQUIN V.E. MANIBUSAN, JR.**
9 **JUDGE, U.S. DISTRICT COURT OF GUAM**
10 **U.S. MAGISTRATE JUDGE**

11 **APPROVED AS TO FORM AND CONTENT:**

12 **LAW OFFICE OF GERALD E. GRAY**

13
14 By: 
15 **GERALD E. GRAY, ESQ., Attorney**
16 **for Plaintiff Elizabeth Tolosa-Taha**

17 **MAHER • YANZA • FLYNN • TIMBLIN, LLP**

18
19 By: 
20 **LOUIE J. YANZA, Attorney for**
21 **Defendant Milarose Nilooban**

22
23 **RECEIVED**

24 **APR 25 2006**

25 **DISTRICT COURT OF GUAM**
HAGATNA, GUAM